

MINUTES

CASE NUMBER: CR 03-00495DAE
CASE NAME: USA v. (06)Albert Powell, III
ATTYS FOR PLA: Chris Thomas
ATTYS FOR DEFT: (06)Barry D. Edwards
USPO: Ellie Asasaki

JUDGE:	David Alan Ezra	REPORTER:	Cynthia Fazio
DATE:	06/30/2008	TIME:	3:00pm-3:55pm

COURT ACTION: EP: Sentencing to Count 9 of the Indictment as to Defendant (06)Albert Powell, III.

Defendant (06)Albert Powell, III present in custody.

The Memorandum Plea Agreement is accepted.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant (06)Albert Powell, III.

SENTENCE:

Imprisonment: 25 MONTHS, to be served consecutively with term imposed in 06CR40072-001

Supervised Release: 3 YEARS, to be served consecutively with term imposed in 06CR40072-001

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any federal, state, or local crimes (mandatory condition).
3. Defendant shall not possess illegal controlled substances (mandatory condition).

4. Defendant shall cooperate in the collection of DNA as directed by the probation officer (mandatory condition).
5. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervised release, as directed by the Probation Office.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. Defendant shall participate in a substance abuse program, which may include drug and alcohol testing in a program approved by the Probation Office.
8. Defendant shall execute all financial disclosure forms and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
9. Defendant is prohibited from incurring credit charges and lines of credit without the approval of the Probation Office.
10. Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

Special Assessment: \$100.00. No fine.

JUDICIAL RECOMMENDATIONS: Minimum Security Prison in Inglewood, CO. Educational and Employment Opportunities. Psychological Counseling.

Defendant advised of his right to appeal.

Government's Oral Motion to Dismiss All Remaining Counts-GRANTED.

Defendant remanded to the custody of the U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager

